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FILED  
11:45 O'Clock 9 A.M.

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YAVAPAI**

SEP 8 2011

SANDRA K. MARKHAM, Clerk  
By: Rita Storms

DIVISION PRO TEM B

HON. WARREN R. DARROW

By: Diane Troxell, Judicial Assistant

CASE NUMBER: V1300CR201080049

Date: September 8, 2011

TITLE:

COUNSEL:

STATE OF ARIZONA

Sheila Sullivan Polk  
Yavapai County Attorney  
Bill Hughes, Esq.  
Deputy Yavapai County Attorneys

(Plaintiff)

(For Plaintiff)

vs.

JAMES ARTHUR RAY

Thomas K. Kelly, Esq.  
425 E. Gurley  
Prescott, AZ 86301

Luis Li, Esq.  
Brad Brian, Esq.  
Truc Do, Attorney at Law  
Miriam Seifter, Attorney at Law  
MUNGER TOLLES & OLSON LLP  
355 S. Grand Avenue, 35<sup>th</sup> Fl.  
Los Angeles, CA 90071

(Defendant)

(For Defendant)

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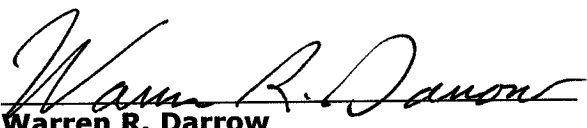
**ORDER DENYING DEFENDANT'S MOTION TO VACATE MITIGATION HEARING**

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The Court has considered the Defendant's motion to vacate mitigation hearing and the State's response.

**IT IS HEREBY ORDERED denying** the Defendant's motion.

**DATED** this 8<sup>th</sup> day of September, 2011.

  
**Warren R. Darrow**  
**Superior Court Judge**

cc: Victim Services Division